



CALIFORNIA STATE BOARD OF EDUCATION

SEPTEMBER 2004 AGENDA

☒ General Waiver

SUBJECT

Request by the **Elk Grove Unified School District** to waive portions of *Education Code* (EC) sections 51222 and 51223 related to minimum physical education minutes in order to implement a block schedule at **Edward Harris Middle School and Monterey Trail High School**.

Waiver Number: 17-5-2004

☒ Action

☒ Consent

RECOMMENDATION

☐ Approval ☒ Approval with conditions ☐ Denial

In keeping with State Board of Education Policy #99-03, this waiver request appears to meet the following criteria and approval is recommended on that condition:

- Students are in physical education a minimum of 18 weeks in 70-90 minute daily periods during the regular school year.
- The district describes a method by which it will monitor students; maintenance of a personal exercise program during the weeks the student is not participating in a physical education course.
- The district provides evidence that alternative day scheduling for physical education rather than alternative term scheduling has been thoroughly investigated. Reasons why alternative day scheduling will not work are clearly explained.
- The district provides information that shows the physical education program is aligned with the *Physical Education Framework* (provides a sequential, articulated, age-appropriate program).
- The district provides information that shows the physical education program (in a senior or four-year high school) is in compliance with the *California Code of Regulations, Title 5, Article 3.1, Section 10060*. (Applicable to Monterey Trail High School only.)
- Students are prepared for and participate in the physical performance testing as specified in the *Education Code*.
- EC 33051(c) will apply.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Education Code sections 51222 and 51223 establish requirements for minimum minutes of physical education every ten days at the middle and high school levels. State Board of Education Policy #99-03 establishes waiver guidelines related to minimum physical education minutes for the purpose of implementing a block schedule.

SUMMARY OF KEY ISSUES

This waiver (needed to implement a block schedule at Edward Harris Middle School and Monterey Trail High School) appears to meet the criteria set forth in the State Board's

waiver guidelines and is recommended for conditional approval based thereupon. Importantly, affected students will actually receive significantly more than the minimum physical education minutes during the academic year (although not spread out over the whole academic year, thus necessitating the waiver). Moreover, through the block schedule format, the district will have longer physical education periods per instructional day that enable more "productive" use of time. The district also states that the affected students' "individual fitness plans will be monitored through Advocacy classes along with academic goal setting and long-term planning." Finally, the district indicates that affected students will have opportunities to participate in elective physical education classes and other means.

Authority for Waiver: *Education Code* (EC) Section 33050

Period of request: August 1, 2004, to July 1, 2006

Local board approval date(s): May 17, 2004

Public hearing held on date(s): May 12, 2004

Bargaining unit(s) consulted on date(s): May 4, 2004

Name of bargaining unit/representative(s) consulted: Maggie Ellis

Position of bargaining unit(s) (choose only one):

☒ Neutral ☐ Support ☐ Oppose

Comments (if appropriate): None.

Public hearing advertised by (choose one or more):

☒ posting in a newspaper ☐ posting at each school ☐ other (specify)

Advisory committee(s) consulted: Edward Harris Middle School Advisory Committee and Monterey Trail High School Planning Committee

Objections raised (choose one): ☒ None ☐ Objections are as follows:

Date(s) consulted: May 2003 and May 2004

FISCAL ANALYSIS (AS APPROPRIATE)

Approval of this waiver will have essentially no fiscal impact on the state, the district, or the individual schools.

BACKGROUND INFORMATION

Consent Item: Backup materials, waiver request forms and supporting documents are not available for Web viewing but are available for inspection in the Waiver Office.